

Message Text

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ACTION NEA-10

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INFO AMCONSUL CALCUTTA
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E.O. 11652: N/A
TAGS: PINT, BG, SHUM
SUBJECT: MUSHTAQUE SENTENCED TO FIVE YEARS; NEW TRIAL TO BEGIN

REF: A. 76 DACCA 6081 B. DACCA 0844

1. KHONDAKAR MUSHTAQUE AHMAD, FORMER PRESIDENT OF BANGLA-
DESH, WAS SENTENCED FEBRUARY 24 TO FIVE YEARS RIGOROUS
IMPRISONMENT AND FINED 100,000 TAKA FOR CORRUPTION AND
ABUSE OF OFFICIAL POSITION. HE WILL RECEIVE AN ADDITIONAL
YEAR OF IMPRISONMENT IF THERE IS DEFAULT ON THE FINE. MOINUL
ISLAM, A FORMER SECRETARY OF THE PUBLIC WORKS AND URBAN
DEVELOPMENT MINISTRY WHO WAS TRIED IN ABSENTIA, WAS FOUND
GUILTY OF SIMILAR CHARGES AND SENTENCED TO THREE YEARS AND
ALSO FINED 100,000 TAKA. KHONDAKAR NASIM UDDIN AHMAD,
ELDER BROTHER OF MUSHTAQUE, WAS ACQUITTED.

2. IN A BRIEF STATEMENT, THE SPECIAL MARTIAL LAW COURT
SAID "ALTHOUGH KHONDAKAR MUSHTAQUE WAS A MEMBER OF
PARLIAMENT, CABINET MINISTER AND A PRESIDENT OF THE
REPUBLIC, HE INDULGED IN CORRUPTION AND ABUSE OF POWER
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AND AS SUCH DESERVED DETERRENT AND EXEMPLARY PUNISHMENT."
HOWEVER, ACCORDING TO THE DACCA PRESS, THE COURT TOOK A
LENIENT VIEW CONSIDERING MUSHTAQUE'S CONTRIBUTION
BOTH DURING AND AFTER THE 1971 STRUGGLE AND HIS ADVANCED
AGE. (COMMENT: HE IS 58).

3. ALTHOUGH THE TRIAL WAS HELD IN CAMERA, WE HAVE RECEIVED

FROM A SOURCE CLOSE TO MUSHTAQUE'S DEMOCRATIC LEAGUE WHAT PURPORTS TO BE MUSHTAQUE'S DEFENSE STATEMENT DURING THE TRIAL. AFTER DENYING THAT HE HAD ABUSED HIS OFFICE PRIVILEGES, HE ALLEGEDLY DECLARED THAT HIS TRIAL HAD BEEN AN ATTEMPT TO DESTROY HIM AS "A LEADER OF THE PEOPLE" AS HE HAD INCURRED "THE DISPLEASURE OF THE POWER THAT BE" BY ISSUING A PRESS STATEMENT URGING GENERAL ELECTIONS (REFTEL A) ONLY DAYS AFTER GENERAL ZIA HAD INDEFINITELY POSTPONED ELECTIONS IN NOVEMBER.

4. IT WAS ANNOUNCED FEBRUARY 22 THAT AN ADDITIONAL TRIAL WILL BE HELD STARTING MARCH 4 TO TRY MUSHTAQUE AND ANOTHER PERSON FOR ILLEGALLY RECEIVING REFUNDS FROM THE EXCHANGE VALUE FOR DEMONETISED NOTES WORTH TAKA 68,000 WHILE MUSHTAQUE WAS PRESIDENT. (REFTEL B).

5. MOINUL HOSSAIN (A CO-OWNER OF ITTEFAG AND BROTHER OF THAT PAPER'S EDITOR) WHO HAD BEEN ARRESTED NOVEMBER 29, 1976, (REFTEL A) WAS RELEASED FEBRUARY 24. ACCORDING TO HIS BROTHER, HE WAS TREATED WELL DURING HIS TENANCY OF DACCA CENTRAL JAIL BUT WAS NEVER TOLD THE SPECIFIC REASONS FOR HIS ARREST. THE BROTHER SAID HE BELIEVED THAT OBAIDUR RAHMAN, A FUNCTIONARY OF THE DEMOCRATIC LEAGUE, HAD ALSO BEEN RELEASED. HOWEVER, THE PRESS IS SILENT TODAY ON OBAIDUR RAHMAN.

6. COMMENT: MUSHTAQUE'S CONVICTION WAS A FOREGONE CONCLUSION. THE TRIAL IN CAMERA DENIED HIM OF ANY CAPABILITY OF EXPRESSING HIS DEFENSE PUBLICLY AND POSSIBLY LIMITED OFFICIAL USE

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CRITICIZING THE CURRENT REGIME FOR ITS FAILURE TO BRING TO TRIAL THOSE SURVIVORS OF THE MUJIB PERIOD WHO ARE IN JAIL BUT NOT YET BROUGHT BEFORE JUDICIAL OR QUASI-JUDICIAL BODIES. DESPITE PROTESTS OF LENIENCY, THE SENTENCE SEEMS HARD - AND AS NOTED IN PARAGRAPH 4 AND REFTEL B, MUSHTAQUE WILL HAVE OTHER TRIALS TO FACE.
MASTERS

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